

[Counsel set forth on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

IN RE FLASH MEMORY ANTITRUST
LITIGATION

This document Relates to:
ALL INDIRECT PURCHASER ACTIONS

No. C07-00086 SBA

**STIPULATION AND ORDER FOR
DISMISSAL WITH PREJUDICE AS TO
HITACHI AND RENESAS
DEFENDANTS PURSUANT TO FED. R.
CIV. PROC. 41(a)(2)**

Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiffs Keith Alderman, Christopher Bessette, Peter Burke, James Burt, California Coast Investigative Services, Anthony Cardinale, Michael Chek, Alva Dee Cravens, Peter DeChristopher, Donna Fahner, Eric Ferguson, Donna Jeanne Flanagan, Ina Fryer, Stuart Go, Sandra Green, Dan Harrison, Thomas Y. Huh, James Knowles, Fred W. Krahmer, Harold Moore, Martha Mulvey, Joanne Myles, Thomas Nigro, Carman Pellitteri, Travis Richardson, Richard Chris Rippel, Ryan Skorstad, Lynn Sweatman, and Joseph Theisen, (collectively “Indirect-Purchaser Plaintiffs”) and defendants Hitachi America, Ltd., Hitachi, Ltd., Renesas Electronics Corporation (as successor to Renesas Technology Corporation), and Renesas Electronics America, Inc. (as successor to Renesas Technology America, Inc. and Hitachi Semiconductor (America) Inc.) (“Hitachi-Renesas”) (collectively “The Stipulating Parties”) by and through their counsel hereby stipulate as follows:

1. On May 1, 2009, the Indirect-Purchaser Plaintiffs filed a First Amended Consolidated Class Action Complaint against Hitachi-Renesas in the above-entitled action.¹

2. The Stipulating Parties have reached a confidential settlement of all claims asserted by Indirect Purchaser Plaintiffs against Hitachi-Renesas in the above-entitled action.

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¹ Plaintiffs Keith Alderman, James Knowles, Fred W. Krahmer, Carman Pellitteri, Ryan Skorstad, and Lynn Sweatman, had previously filed complaints against Hitachi-Renesas but were not included as named plaintiffs in the First Consolidated Class Action Complaint.

3. In furtherance of the confidential settlement, the Stipulating Parties agree that all claims asserted by Indirect Purchaser Plaintiffs against Hitachi-Renesas in the above-entitled action shall be dismissed with prejudice, with Indirect Purchaser Plaintiffs and Hitachi-Renesas each bearing their own costs and attorneys' fees and Hitachi-Renesas shall no longer be a party in this action.²

IT IS SO STIPULATED.

DATED: June 4, 2012.

COTCHETT, PITRE & McCARTHY, LLP

By: /s/ Steven N. Williams
Steve N. Williams

Co-Lead Counsel for Indirect Purchaser Plaintiffs

DATED: June 4, 2012.

ZELLE HOFMANN VOELBEL & MASON
LLP

By: /s/ Christopher T. Micheletti
Christopher T. Micheletti

Co-Lead Counsel for Indirect Purchaser Plaintiffs

DATED: June 4, 2012.

VINSON & ELKINS LLP

By: /s/ Craig Seebald
Craig Seebald

Counsel for Hitachi America, Ltd., Hitachi, Ltd., Renesas Electronics Corporation, and Renesas Electronics America, Inc.

² The confidential settlement also includes the following plaintiffs, who dismissed their claims with prejudice as to all defendants on April 25, 2012 (Dkt. 764): Jacob Greenwell, Sarah Hecht, Jean McClellan-Chambers, Jamac Enterprises, Robin McEntee, Trong Nguyen, Jason Perkins, Travis Weibe, Joshua Steele, Benjamin Northway, Lindsey Morgan, Kelly Fahner, George Davis, Andrew Kindt, Tristen Woods, and Jai Paguirigan.

ATTESTATION PURSUANT TO GENERAL ORDER 45

Pursuant to General Order No. 45, § X(B), regarding signatures, I attest that the concurrence in the filing of this document has been obtained from its signatories.

Dated: June 4, 2012

By: /s/ Steven N. Williams
Steven N. Williams

ORDER


For the reasons set forth in the above stipulation, and good cause appearing therefore, it is hereby ORDERED as follows:

1. All claims asserted by Indirect Purchaser Plaintiffs against Hitachi-Renesas in the above-entitled action or any of its associated actions are hereby DISMISSED WITH PREJUDICE, with Indirect Purchaser Plaintiffs and Hitachi America, Ltd., Hitachi, Ltd., Renesas Electronics Corporation (as successor to Renesas Technology Corporation), and Renesas Electronics America, Inc. (as successor to Hitachi Semiconductor (America) Inc. and Renesas Technology America, Inc.), each bearing their own costs and attorneys' fees.

2. Hitachi America, Ltd., Hitachi, Ltd., Renesas Electronics Corporation (as successor to Renesas Technology Corporation), and Renesas Electronics America, Inc. (as successor to Hitachi Semiconductor (America) Inc. and Renesas Technology America, Inc.) shall no longer be a party in this action.

IT IS SO ORDERED.

DATED: _6/4/12


Saundra Brown Armstrong
United States District Judge